



Office of the Governor of Guam

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Office of the People's Speaker
Vicente (ben) C. Pangelinan

MAY 11 2004

TIME: 5:07 () AM () PM
RECEIVED BY: [Signature]

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

11 MAY 2004

The Honorable Vicente C. Pangelinan
Speaker
I Mina'Bente Siete Na Liheslaturan Guåhan
Twenty-Seventh Guam Legislature
155 Hesler Street
Hagåtña, Guam 96910

Dear Speaker Pangelinan:

Transmitted herewith is Bill No. 177 (LS), "AN ACT TO ADVANCE HISTORIC PRESERVATION PROGRAMS IN GUAM BY REPEALING AND REENACTING ARTICLE 6 OF CHAPTER 76 OF DIVISION 2 OF TITLE 21, REPEALING §§ 87138 THROUGH 87141, AND ADDING A NEW §5117 TO TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE GUAM PRESERVATION TRUST," which I signed into law on May 6, 2004 as Public Law 27-89.

Sinseru yan Magåhet,

[Signature of Felix P. Camacho]

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy attached of signed bill

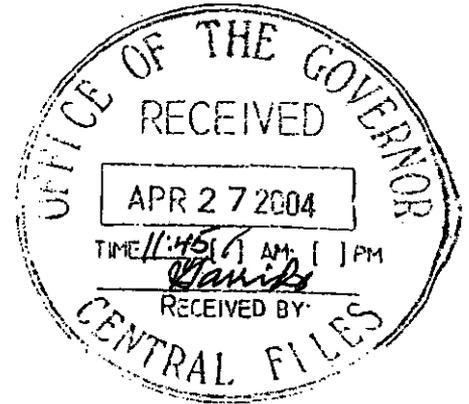
cc: The Honorable Tina Rose Muña-Barnes
Senator and Legislative Secretary



MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN
TWENTY-SEVENTH GUAM LEGISLATURE
155 Hessler Place, Hagåtña, Guam 96910

April 27, 2004

The Honorable Felix P. Camacho
I Maga'lahen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910



Dear *Maga'lahi* Camacho:

Transmitted herewith are Bill Nos. 178(LS), 193(COR), 256(LS), 261(LS) and 277(COR), and Substitute Bill Nos. 17(LS), 115(COR), 119(COR), 146(LS), 172(LS), 175(LS), 177(LS), 183(COR), 220(COR), 230(LS), 231(LS), 249(COR), 255(LS) and 258(LS) which were passed by *I Mina' Bente Siete Na Liheslaturan Guåhan* on April 23, 2004.

Sincerely,


TINA ROSE MUNA BARNES
Legislative Secretary

Enclosures (19)

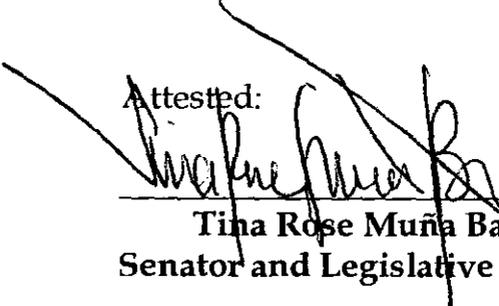
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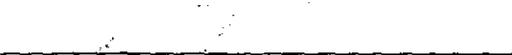
I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2004 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

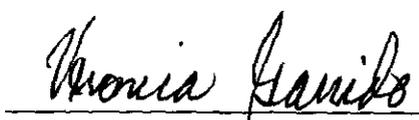
This is to certify that Substitute Bill No. 177 (LS), "AN ACT TO ADVANCE HISTORIC PRESERVATION PROGRAMS IN GUAM BY REPEALING AND REENACTING ARTICLE 6 OF CHAPTER 76 OF DIVISION 2 OF TITLE 21, REPEALING §§ 87138 THROUGH 87141, AND ADDING A NEW §5117 TO TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE GUAM PRESERVATION TRUST," was on the 23rd day of April, 2004, duly and regularly passed.

Attested:


Tina Rose Muña Barnes
Senator and Legislative Secretary


vicente (ben) c. pangelinan
Speaker

This Act was received by I Maga'lahaen Guåhan this 27 day of April, 2004,
at 11:45 o'clock A. .M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:


FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: May 6, 2004

Public Law No. 27-89

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2003 (FIRST) Regular Session

Bill No. 177 (LS)

As substituted by the Committee on Community,
Culture, Recreation and Public Broadcasting,
and further substituted by the Author,
and amended on the Floor.

Introduced by:

T. R. Muña Barnes

F. R. Cunliffe

R. J. Respicio

F. B. Aguon, Jr.

J. M.S. Brown

C. Fernandez

Mark Forbes

L. F. Kasperbauer

R. Klitzkie

L. A. Leon Guerrero

J. A. Lujan

v. c. pangelinan

J. M. Quinata

Toni Sanford

Ray Tenorio

**AN ACT TO ADVANCE HISTORIC PRESERVATION
PROGRAMS IN GUAM BY REPEALING AND
REENACTING ARTICLE 6 OF CHAPTER 76 OF DIVISION 2
OF TITLE 21, REPEALING §§ 87138 THROUGH 87141, AND
ADDING A NEW §5117 TO TITLE 5, GUAM CODE
ANNOTATED, RELATIVE TO THE GUAM
PRESERVATION TRUST.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that the Guam Preservation Trust (the "Trust") was established as a
4 public non-profit corporation by Public Law 20-151, amended by Public

1 Law 21-07, and codified into law as Article 6, Chapter 76, Division 2 of Title
2 21 of the Guam Code Annotated to advance historic preservation programs
3 in Guam. The creation of the Trust was an innovative way to fund and
4 execute local historic preservation projects.

5 Pursuant to this Law, all building permit fees and fines authorized by
6 §66408 and §76211 of Division 2 of Title 21, GCA, are deposited into the
7 Trust Fund and administered by the Trust Board of Directors. Members of
8 the Guam Historic Preservation Review Board serve on the Board of
9 Directors of the Trust.

10 *I Liheslaturan Guåhan* further finds that the enactment of Public Law
11 25-69, now codified into law as Chapter 87 of Title 5 of the Guam Code
12 Annotated, which is the enabling act of the Department of Chamorro
13 Affairs (“DCA”), included a specific provision, Section 8 of Public Law 25-
14 69, which repealed all of Chapter 76, Historical Objects and Sites, of
15 Division 2 of Title 21, GCA, containing the statute establishing the Historic
16 Resources Division of the Department of Parks and Recreation (“DPR”) for
17 the purpose of historic preservation and to administer the State Historic
18 Preservation Grant Program. Article 6 of the repealed Chapter 76 created
19 the Trust.

20 At the time Public Law 25-69 was passed, it was the intent of *I*
21 *Liheslatura* that the Historic Resources Division of DPR and the Trust be
22 consolidated into DCA. It was subsequently determined that DCA,
23 established in Guam law as a public non-profit corporation, could not
24 administer the State Historic Preservation Grant because Federal law

1 requires an arm of a state or territorial government to be the administering
2 authority and DCA is not a line agency of the government of Guam.

3 To remedy this condition, *I Mina'Bente Sinko Na Liheslaturan Guåhan*,
4 in Section 13 of Chapter IV (Miscellaneous Provisions) of Public Law 25-72,
5 repealed Section 8 of Public Law 25-69, effectively restoring Chapter 76 of
6 21 GCA. However, Section 13 of Chapter IV (Miscellaneous Provisions) of
7 Public Law 25-72 also repealed Public Law 21-07, which contained
8 language mandating the fiduciary duty of the Trust and protecting the
9 Trust Fund from being used for the operations of any line department or
10 agency.

11 It is the additional finding of *I Liheslaturan Guåhan* that the Guam
12 Code Annotated has yet to be revised to contain the restoration of Chapter
13 76 of Title 21, GCA, and revision of Chapter 87 of Title 5, GCA, relative to
14 the Trust.

15 It is the additional finding of *I Liheslatura* that through prior
16 legislative appropriations and authorizations, a substantial portion of the
17 Trust Fund has been tapped to offset the shortfall to the General Fund and
18 the operations of the Department of Parks and Recreation, these actions
19 being contrary to the intent of Public Law 20-151.

20 It is therefore the intent of *I Liheslaturan Guåhan* to clarify the statutes
21 controlling the Trust and to assist in the advancement of its operations
22 relative to historic preservation by restating its enabling act prior to
23 amendment by a now-repealed Section of Public Law 25-69; adding
24 additional requirements relative to prioritization of projects; providing the
25 Trust with additional safeguards for its programs; and providing authority

1 to encumber its funds for the purpose of obtaining a line of credit or loan to
2 advance its programs. By virtue of passage of this Act, *I Liheslaturan*
3 *Guåhan* intends to authorize the Trust to encumber its funds as collateral
4 for a loan or line of credit to secure immediate funding for local historic
5 preservation projects.

6 It is the additional intent of *I Liheslaturan Guåhan* to direct the
7 Compiler of Laws to codify this Act and revise Chapter 87 of Title 5, GCA,
8 pursuant to Section 13 of Chapter IV (Miscellaneous Provisions) of Public
9 Law 25-72, and restore Chapter 76 of Title 21, GCA, pursuant to Section 13
10 of Chapter 4 of Public Law 25-72, as amended by this Act.

11 It is the additional intent of *I Liheslaturan Guåhan* to require that the
12 Director of the Department of Administration and the Director of the
13 Bureau of Budget and Management Research jointly submit a report to *I*
14 *Liheslaturan Guåhan* on the status of any and all financial transactions made
15 to and from the Trust Fund, including any funds that may have been
16 reverted to the General Fund from the Trust Fund.

17 **Section 2. Article 6 of Chapter 76 of Division 2 of Title 21 of the**
18 **Guam Code Annotated, is *repealed* and *reenacted* to read:**

19 **“Article 6**

20 **Guam Preservation Trust**

21 **§76601. Guam Preservation Trust.**

22 **§76602. Guam Preservation Trust Income.**

23 **§76603. Limitation to Purposes of the Trust.**

24 **§76604. Power of the Trust.**

25 **§76605. Exemption from Executive Budget Act.**

1 **§76606. Responsibilities of the Trust.**

2 **§76607. Line of Credit Authorized.**

3 **§76608. *I Liheslatura* Appropriations.**

4 **§76601. Guam Preservation Trust.** There is hereby established
5 as a public, non-profit corporation, the Guam Preservation Trust (the
6 'Trust'). The Trust shall have the following purposes, which are
7 within its powers:

8 (a) To seek grants and donations;

9 (b) To acquire title to threatened Guam properties for
10 the preservation of their historical value, whether in fee simple,
11 by leasehold, or by easement, and whether through donation,
12 transfer, dedication, or purchase;

13 (c) To award grants for the following:

14 1. Historic property documentation and historic
15 register nomination;

16 2. Architectural and archeological history and
17 documentation of historic structures and sites;

18 3. Protection of historic structures and sites
19 through stabilization, rehabilitation,
20 reconstruction, or restoration, including
21 adequate lighting when appropriate on such
22 sites being utilized for non-profit and non-
23 commercial purposes, such as private homes,
24 schools, churches, public buildings and
25 facilities, except that commercial activity is

1 allowable on such sites pursuant to a signed
2 covenant between the Guam Preservation
3 Trust and the registered owners when part of
4 the proceeds of such commercial activity is
5 used for the general maintenance of such
6 sites;

7 4. Ethnography and oral history of Guam; and

8 5. Archival and archaeological research and
9 investigations for locating, recording and
10 protecting sites of historic or prehistoric
11 interest and value.

12 (d) To prepare a Guam Preservation Trust Master Plan
13 identifying, by order of priority, the buildings, structures and
14 sites which in the opinion of the Trust are deserving of
15 preservation and which shall be preserved. The Trust shall hold
16 a public hearing on the proposed plan and shall transmit the
17 plan to *I Liheslaturan Guåhan* sixty (60) days prior to its
18 implementation; and

19 (e) To support other activities directly related to
20 increasing the public appreciation of and benefit from historical
21 places including public interpretation and presentation.

22 **§76602. Guam Preservation Trust Income.** Fees collected
23 pursuant to §66408 of Division 2 of Title 21 of the Guam Code
24 Annotated, shall be deposited in the Guam Preservation Trust Fund.
25 Fines collected under §76211 of Division 2 of Title 21 of the Guam

1 Code Annotated, shall be deposited into the Guam Preservation
2 Trust Fund. Guam Preservation Trust funds shall be maintained
3 separate and apart from all other government funds. The
4 Department of Administration, as custodian for the fees and fines
5 collected pursuant to this Section, shall transfer all such funds to the
6 Trust *no less than* on a quarterly basis. Any and all interest accrued
7 on such funds shall also be transferred to the Trust. The amounts
8 within the Guam Preservation Trust Fund shall be used by the Trust
9 *only* for the purposes expressed in this Article 6 and shall *not* be
10 subject to any transfer authority of *I Maga'lahaen Guåhan*.

11 **§76603. Limitation to Purposes of the Trust.** Expenditures by
12 the Trust shall be limited to purposes of the Trust and may *not* be
13 used for any operation of the Department of Parks and Recreation or
14 any other agency, department, bureau, division, office,
15 instrumentality or branch of the government of Guam.

16 **§76604. Power of the Trust.** The Trust shall have the following
17 powers in coordination with its purposes:

- 18 (a) To sue and be sued in its own name;
19 (b) To hire its own legal counsel;
20 (c) To hire or contract for the management of Trust assets
21 and the conduct of Trust business;
22 (d) To enter into and execute contracts and instruments of
23 every kind and nature, necessary or convenient to the
24 exercise of its powers and functions;
25 (e) To have all corporate powers provided by law.

1 **§76605. Exemption from Executive Budget Act.** The Trust is
2 exempt from the provisions of the Executive Budget Act (P.L. 12-115,
3 as amended).

4 **§76606. Responsibilities of the Trust.** The Trust is subject to
5 the following responsibilities:

6 (a) A fiduciary duty toward the funds and purposes of the
7 Trust;

8 (b) The preparation of an annual audit report which is to be
9 submitted to *I Maga'lahañ Guåhan* and *I Liheslaturan*
10 *Guåhan* within sixty (60) days after the end of each fiscal
11 year; and

12 (c) Establish guidelines relative to the Abatement of Taxes as
13 provided in Section 21 of Public Law 20-151.

14 **§76607. Line of Credit Authorized.** The Guam Preservation
15 Trust Fund may be encumbered as collateral for a loan or line of
16 credit to advance its grant programs pursuant to a Guam Historic
17 Preservation Master Plan as described in §76601(d) of this Article.
18 The Trust is authorized to enter into such agreements necessary for
19 the acquisition of the loan or line of credit, with any lending
20 institution chosen under its procurement regulations and/or policies.
21 Neither the Board of Directors nor the employees of the Trust shall
22 incur any personal liability for any loan agreement lawfully entered
23 into.

24 **§76608. I Liheslatura Appropriations.** *I Liheslatura* may, from
25 time to time, appropriate funds from the General Fund for deposit in

1 the Guam Preservation Trust Fund. Such funds, when appropriated,
2 shall be paid directly to the Trust.”

3 **Section 3. Codification.** The Compiler of Laws shall codify this Act
4 and revise Chapter 87 of Title 5, GCA, pursuant to Section 13 of Public Law
5 25-72; restore Articles 1 through 5 of Chapter 76 of Title 21, GCA, pursuant
6 to Section 13 of Chapter IV (Miscellaneous Provisions) of Public Law 25-72
7 and Article 6 of Chapter 76 of Title 21, GCA, as repealed and reenacted in
8 this Act; and codify Section 21 of Public Law 20-151.

9 **Section 4. Report to *I Liheslatura*.** Within sixty (60) days of
10 enactment, the Director of the Department of Administration and the
11 Director of the Bureau of Budget and Management Research shall jointly
12 submit a report to the Speaker of *I Liheslaturan Guåhan* and to the
13 Chairpersons of the Legislative committees with oversight over Finance,
14 Budgeting and Parks & Recreation, containing the following information:

15 (1) A list of all appropriations made from the Guam Preservation
16 Trust Fund, also known as the Guam Historic Preservation
17 Trust Fund, to other government of Guam entities since the
18 enactment of Public Law 20-151 to include amounts released,
19 reserved or encumbered, and expended including the status of
20 any outstanding appropriations; and

21 (2) A list of all financial transactions relative to any funds which
22 were withheld from the Guam Preservation Trust and were
23 transferred or reverted to the General Fund pursuant to a
24 budget act or any other act of *I Liheslaturan Guåhan*.

1 **Section 5. Repealer.** §87138, §87139, §87140 and §87141 of Chapter
2 87, Division 8, Part 3 of Title 5 of the Guam Code Annotated, are hereby
3 *repealed*.

4 **Section 6. A new §5117 is hereby *added* to Article 2 of Chapter 5 of**
5 **Division 1 of Title 5, Guam Code Annotated, to read:**

6 “§5117. Procurement shall be delegated to the Guam
7 Preservation Trust. Notwithstanding any other provision of Guam
8 Procurement Law, the authority to procure supplies and services for
9 the Guam Preservation Trust shall be delegated by the Chief
10 Procurement Officer to the Board of Directors of the Guam
11 Preservation Trust.”

12 **Section 7. Severability.** *If* any provision of this Law or its
13 application to any person or circumstance is found to be invalid or contrary
14 to law, such invalidity shall *not* affect other provisions or applications of
15 this Law which can be given effect without the invalid provisions or
16 application, and to this end the provisions of this Law are severable.



FILE COPY

MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN
TWENTY-SEVENTH GUAM LEGISLATURE
155 Hessler Place, Hagåtña, Guam 96910

April 06, 2004

(Date)

Memorandum

To: Senator Muna Barnes

From: Clerk of the Legislature

Subject: Committee Report on Bill No. 177 (COR) ^{LS} ^d

Pursuant to Section 7.04 of Rule VII of the 27th Standing Rules, transmitted herewith is a copy of the Committee Report on Bill No. 177 (COR), for which you are the prime sponsor.

Should you have any questions or need further information, please contact the undersigned at 472-3464/5.


PATRICIA C. SANTOS

Attachment





SENATOR TINA ROSE MUÑA BARNES
LEGISLATIVE SECRETARY

CHAIRPERSON
COMMITTEE ON COMMUNITY, CULTURE, RECREATION & PUBLIC BROADCASTING
Mayor's Council; Bureau of Women's Affairs; Department of Chamorro Affairs; GUAM MUSEUM,
CHAMORRO LANGUAGE AND CULTURE; Guam Council on the Arts & Humanities; Guam Historic Preservation
Trust; Department of Parks & Recreation; Guam Educational Telecommunications Corporation

I MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN
TWENTY SEVENTH GUAM LEGISLATURE
155 Hesler St., Hagåtña, Guam 96910
(671) 472-3455 • Fax (671) 472-3400

April 5, 2004

The Honorable Vicente C. Pangelinan
Speaker
I Mina' Bente Siete na Liheslaturan Guåhan
155 Hesler St.
Hagåtña, Guam 96910

Dear Mr. Speaker,

The Committee on Community, Culture, Recreation and Public Broadcasting, to which **Bill No. 177 (COR)** was referred, wishes to report its findings and recommendations **TO DO PASS** as substituted:

LS

BILL NO. 177 (COR) As Substituted by the Committee on Community, Culture, Recreation and Public Broadcasting: AN ACT TO ADVANCE HISTORIC PRESERVATION PROGRAMS IN GUAM BY REPEALING AND REENACTING ARTICLE 6 OF CHAPTER 76 OF DIVISION 2 OF TITLE 21 OF THE GUAM CODE ANNOTATED RELATIVE TO THE GUAM PRESERVATION TRUST.

The voting record of the members of the Committee is as follows:

TO PASS:	<u>8</u>
TO NOT PASS:	<u>0</u>
TO ABSTAIN:	<u>0</u>
OFF ISLAND:	<u>0</u>

A copy of the committee report and other pertinent documents are attached for your reference.

Sincerely,

Tina Rose Muña Barnes

Attachment



SENATOR TINA ROSE MUÑA BARNES
LEGISLATIVE SECRETARY

CHAIRPERSON
COMMITTEE ON COMMUNITY, CULTURE, RECREATION & PUBLIC BROADCASTING
Mayor's Council; Bureau of Women's Affairs; Department of Chamorro Affairs; GUAM MUSEUM,
CHAMORRO LANGUAGE AND CULTURE; Guam Council on the Arts & Humanities; Guam Historic Preservation
Trust; Department of Parks & Recreation; Guam Educational Telecommunications Corporation

I MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN
TWENTY SEVENTH GUAM LEGISLATURE
155 Hessler St., Hagåtña, Guam 96910
(671) 472-3455 • Fax: (671) 472-3400

VOTING SHEET

Committee on Community, Culture, Recreation & Public Broadcasting

SUBJECT MATTER: Bill No. 177 (COR) As Substituted by the Committee on Community, Culture, Recreation and Public Broadcasting: AN ACT TO ADVANCE HISTORIC PRESERVATION PROGRAMS IN GUAM BY REPEALING AND REENACTING ARTICLE 6 OF CHAPTER 76 OF DIVISION 2 OF TITLE 21 OF THE GUAM CODE ANNOTATED RELATIVE TO THE GUAM PRESERVATION TRUST.

	TO DO PASS	TO NOT PASS	TO ABSTAIN	OFF ISLAND
 Sen. T.R. Muña Barnes, Chairperson	✓			
 Sen. R.J. Respicio, Vice Chairperson	✓			
 Vice Speaker F.B. Aguirre	✓			
 Sen. F.R. Cunliffe	✓			
 Sen. L.F. Kasperbauer	X			
 Sen. L.A. Leon Guerrero	✓			
Sen. J.A. Lujan				
 Sen. J.M. Quinata	✓			
 Sen. A.D. Sanford	✓			



MINA'BENTE SIETE NA LIHESLATURAN GUAHAN

**COMMITTEE ON COMMUNITY, CULTURE,
RECREATION & PUBLIC BROADCASTING**

**SENATOR TINA ROSE MUÑA BARNES
CHAIRPERSON**

Committee Report

Bill No. 177 (COR)

**AN ACT TO AMEND §76601 AND §76602 AND
ADD NEW §76607 AND §76608 TO CHAPTER
76, DIVISION 2, ARTICLE 6, TITLE 21 OF THE
GUAM CODE ANNOTATED TO ADVANCE
HISTORIC PRESERVATION PROGRAMS AT THE
GUAM PRESERVATION TRUST AND TO REPAIR,
RESTORE, RECONSTRUCT, AND REHABILITATE
THE GUAM CONGRESS BUILDING, THE LUJAN
HOUSE, AND THE PLAZA DE ESPAÑA**

Introduced on Sept. 10, 2003

Public Hearing conducted on Feb. 12, 2004

I. INTRODUCTION

Bill No. 177 (LS), AN ACT TO AMEND §76601 AND §76602 AND ADD NEW §76607 AND §76608 TO CHAPTER 76, DIVISION 2, ARTICLE 6, TITLE 21 OF THE GUAM CODE ANNOTATED TO ADVANCE HISTORIC PRESERVATION PROGRAMS AT THE GUAM PRESERVATION TRUST AND TO REPAIR, RESTORE, RECONSTRUCT, AND REHABILITATE THE GUAM CONGRESS BUILDING, THE LUJAN HOUSE, AND THE PLAZA DE ESPAÑA, was introduced on September 10, 2003, by Senator Tina Muña Barnes with Senator F. Randall Cunliffe and Senator Rory J. Respicio as main sponsors.

The bill seeks to direct the Guam Preservation Trust to repair, rehabilitate, restore and reconstruct government owned historic sites, enhancing the attractiveness of Hagåtña; and to make other needed changes to the operations of the Guam Preservation Trust.

The bill was referred to the Committee on Community, Culture, Recreation & Public Broadcasting (CCRP) on January 26, 2004 and was publicly heard at 2 p.m. on February 12, 2004.

II. PUBLIC HEARING

The Committee on Community, Culture, Recreation & Public Broadcasting (CCRP) conducted a public hearing beginning at 2:00 p.m. Thursday, February 12, 2004 in the Legislative Public Hearing Room, *I Liheslaturan Guåhan*, in Hagåtña. Public notice for the public hearing was provided February 5 and February 10, 2004, through advertisements in the Pacific Daily News.

The subject matter was Bill No. 177 (LS), the only bill and the final item on the agenda. The earlier portion of the hearing was devoted to a nomination.

CCRP Committee Chair Senator Tina Rose Muña Barnes called the public hearing to order. Committee members present were Vice Chairman Senator Rory Respicio, Vice Speaker Frank B. Aguon, Jr., Senator Toni Sanford and Senator Lou Leon Guerrero. Also present was Senator Joanne M.S. Brown.

III. TESTIMONY

Those testifying on Bill 177 (LS) were Lynda B. Aguon, Historic Preservation Officer of the Department of Parks and Recreation, Guam Preservation Trust Program Officer Rosanna P. Barcinas, Chairman of the Guam Preservation Trust Michael Blas Makio, and Ruby A. Santos, Administrative Services Officer of the Guam Preservation Trust. Also

providing some testimony was previous Guam Preservation Trust Chairman Joshua Tenorio.

First to testify was Ms Santos who read from her testimony prepared jointly with Ms Barcinas. She recounted the creation of the Trust and noted that the written statement contained a listing of the Capital Improvement Projects, Grants and Public Awareness Projects undertaken by the Trust beginning in 1993.

Ms Barcinas completed reading the testimony, noting that the Trust has committed over \$8 million towards CIPs, grants and related preservation projects. In addition to the specific projects mentioned in Bill 177, potential projects include the Malesso Bell Tower, the Taleyfac Bridge, the Manenggon Memorial, maintenance plans for completed projects as well as new grant submissions from the Guam Humanities Council's *Guampedia* and the University of Guam's *John Bohn Papers*.

Ms Barcinas noted that a master plan would be submitted to the committee containing a prioritized listing of CIPs and grants reflecting the Trust's mission.

Michael Makio, Chairman of the Preservation Trust, read from his prepared statement. He said that working meetings with Legislative staff from the offices of Senator Cunliffe and Senator Muña Barnes have come to suggested changes in the language of the bill. First, a master plan would be prepared, identifying the priorities of the Trust. Second, the possibility of restoring funds lost in the past would be explored. Third, changes in the flow of funds from the revenue source of building permit fees would also be explored and developed.

Lynda Aguon testified that she would turn in written testimony at a later date (received on March 2, 2004 and attached). She spoke in favor of the projects listed in the Bill. She said that the Historic Preservation office had prepared the packet to nominate the Guam Congress Building as an historic site in 2001.

She said the Lujan House was under the jurisdiction of the Department of Parks and Recreation however the land under the Lujan House belongs to the Chamorro Land Trust. This was a problem she had already discussed with Joe Borja at the CLTC and if the Legislature so decides, the Bill could be amended to make the transfer.

She said she had no problem with providing lighting for historic structures. She asked that two simple amendments be made to read "fees and fines" instead of just one or the other.

Ms Aguon suggested that language should be changed in Section 3 (a) to remove the requirement that some projects be completed before others are begun.

Mr. Makio said that the suggestion to have a master plan would alleviate such problems. Prioritization would allow working on projects concurrently as funds become available. The master plan would also allow for public and Legislative input.

Ms Aguon said that the roof of the Azotea needed to be addressed. Senator Brown asked if the Restoration of the Azotea would be to its original design. Ms Aguon said that the Azotea originally had no roof and that the current design and usage includes a roof. Ms Barcinas said the level of treatment can be looked at, a decision would have to be made to restore the site to its original design or to what is existing, or if it should be modified for other reasons or to meet the requirements of the law.

Senator Brown said she would also like to see the Governor's Palace restored but restoration depends on what period people wish to choose for each project. Ms Barcinas said a similar discussion took place for the Malesso Kombento.

Ms Aguon said we cannot ignore the Department of Administration building which is also on the list of structures.

Senator Muña Barnes thanked Ms Aguon for here input and asked that she provide the written testimony so that appropriate changes could be made to the bill.

Senator Respicio said he could see the need for the bill, given the current discussion. He asked Mr. Makio how much was diverted from the Guam Preservation Trust and used by the government. Mr. Makio said he believed it was about \$3 million. He said the group could have done a lot with those funds.

Previous Trust Chairman Joshua Tenorio said that \$3.2 million was "swept" into the General Fund and utilized for other purposes under what he thought was questionable legal authority. The Trust's auditors listed the \$3.2 million as a bad debt expense of the Government of Guam. When the Public Auditor was asked what the chances were of having the funds returned she reportedly said the condition of the Government probably made that impossible.

Senator Respicio noted that language should be included in the bill to prevent the funds from being used elsewhere by the Governor and asked if

there was a prohibition against restoring public facilities. Ms Barcinas said that public facilities could be restored.

Senator Brown suggested that the amendment to prohibit the Governor from using the funds should be included in the budget as well.

Senator Sanford asked when the Trust last received funds. Mr. Makio said that Ms Santos had been working diligently trying to get revenue to flow into the Trust from DPW, BBMR and DOA. Ms Santos said she received a commitment for \$300,000 for December, in two increments of \$150,000.

Senator Sanford asked what the administrative costs were per year. Ms Santos said it was \$300,000. She said BBMR recognized that money has been taken from fund and said they admitted there were over a million dollars in cash solvent receivables.

Senator Sanford asked Mr. Tenorio if the Trust received just the fines and fees and no General Fund monies. Mr. Tenorio said that was correct, the Trust received nothing from the General Fund. The permit fees were at least half a million dollars a year.

Senator Sanford said that since the typhoon the construction should have caused the amount of fees to rise. Mr. Makio said that in his working with their accountants, they determined that the Trust was due a total of about \$6 million, \$3.2 million of which was the past due amount. And said that their accounting records would be made available.

Senator Leon Guerrero noted that the Governor claimed there were 4,500 to 5,000 new jobs in construction, so there must be additional permits and fees, and probably more than \$6 million in the fund. She told Mr. Makio that his comment about the master plan was on target. She said that Senator Muña Barnes had alleviated her concerns with Bill 177 and appreciated her working with her committee members to make sure concerns from trustees and the Legislature were addressed. She noted that all of the projects mentioned in the bill except the Lujan House were under the jurisdiction of the Legislature's Rules Committee. She said that the specificity of the projects could take away from having needed flexibility, and the master plan idea would solve that problem.

Senator Leon Guerrero said that she was glad that the Guam Congress building was a priority. She noted that if the amount paid in rent for the Legislative hall were taken to the financial market, funds could be borrowed to restore the structure and also build around it for senatorial offices.

Mr. Makio said that the Guam Congress building was truly an historic site, the kind of building that defines the island's history. He said it was a huge treasure trove about the people and events in our island's history that should be preserved and showcased in some way.

Senator Leon Guerrero said she would like to see the building restored into its original state, and used for lawmaking, with part of it set aside as a museum.

After some extemporaneous discussion, Senator Muña Barnes thanked the attendees for their presence and participation. There being no further testimony, Senator Muña Barnes declared Bill No. 177 (LS) to have been publicly heard.

IV. FINDINGS AND RECOMMENDATIONS

Subsequent to the hearing, Ms Barcinas and Mr. Tenorio suggested clarification of the confusion surrounding the status of the law because recent revisions had not been codified. They also suggested that certain other amendments be made to further clarify the intent of the law.

Taking their concerns into account, the Committee on Community, Culture, Recreation and Public Broadcasting finds that the following proposed amendments to Bill No. 177 (LS) are just and valid and should be included in a substitute version of the bill:

Section 1. Legislative Findings and Intent. Substantially modified to conform to the revised legislation.

Section 2. Repeals and reenacts entire Article 6 of Chapter 76 of division 2 of Title 21 of the Guam Code Annotated, the enabling legislation of the Guam Preservation Trust.

§76601 includes historic sites are possible areas for repair, restoration or renovation; requires preparation of a Master Plan that prioritizes which buildings, structures and sites which much be preserved;

§76602 specifies that the Guam Preservation Trust Fund shall not be subject to the transfer authority of the Governor;

§76603 limits purpose of Trust funds to only the purposes of the Trust;

§76604 adds to powers of the Trust to allow contracting and other actions that further purposes of Trust;

§76605 unchanged from existing law;

§76606 unchanged from existing law;

§76607 authorizes line of credit;

§76608 allows Legislature to make appropriations to Fund;

Section 3. Directs Compiler of Laws to codify specified changes in law affecting Preservation Trust;

Section 4. requires Dept of Administration and BBMR to submit a report to Legislature with a complete update on use and transactions of all funds that either were or should have been deposited into the Guam Preservation Trust Fund, including any transfers.

The above listed amendments having been made, the Committee on Community, Culture, Recreation and Public Broadcasting hereby reports out Bill No. 177 (LS) with the recommendation to do pass as Substituted.

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Legislative Public Hearing Room, Hagåtña

SEN. F. RANDALL CUNLIFFE

COMMITTEE ON JUDICIARY AND TRANSPORTATION

9 a.m. Thursday, Feb. 12

BILL 209 (COR) An act to repeal and reenact §31.65 of Chapter 31 of Title 9 of the Guam Code Annotated relative to establishing the juvenile Curfew Law.

BILL 229 (LS) An act to add a new Section 28.81 to Article 2 of Chapter 28 of Title 9 of the Guam Code Annotated relative to mandating any processor of digital or film images or a computer technician to report any film or computer images that depict minors engaging in sexually explicit situations.

BILL 239 (COR) An act to approve rules for the Office of the Public Guardian as prescribed by Public Law 25-103

SEN. TINA ROSE MUÑA BARNES

COMMITTEE ON COMMUNITY, CULTURE, RECREATION AND PUBLIC BROADCASTING

2 p.m. Thursday, Feb. 12

NOMINATION OF Ms Marilyn C. Salas to serve as a member of the Guam Historic Preservation Review Board

BILL 177 (COR) An act to amend §76601 and §76602 and add new §76607 and §76608 to Chapter 76, Division 2, Article 6, Title 21 of the Guam Code Annotated to advance historic preservation programs at the Guam Preservation Trust and to repair, restore, reconstruct, and rehabilitate the Guam Congress Building, the Lujan House, and the Plaza de España.

The public is invited to participate. Persons with special needs or for more information contact Sen. Cunliffe at 477-5310 Sen. Muña Barnes at 472-3455 This Ad paid for with government funds

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PARKS & RECREATION
DIRECTOR'S OFFICE

February 6, 2004

Tommy Morrison
Acting Director
Department of Parks and Recreation
P.O. Box 2950
Hagåtña, Guam 96932

Dear Mr. Morrison,

Hafa adai. Please be advised that the Committee on Community, Culture, Recreation & Public Broadcasting will be conducting a public hearing at 2 p.m. on **Thursday February 12, 2004**, at the Legislature's Public Hearing Room in Hagåtña on the following:

BILL NO. 177: AN ACT TO AMEND §76601 AND §76602 AND ADD NEW §76607 AND §76608 TO CHAPTER 76, DIVISION 2, ARTICLE 6, TITLE 21 OF THE GUAM CODE ANNOTATED TO ADVANCE HISTORIC PRESERVATION PROGRAMS AT THE GUAM PRESERVATION TRUST AND TO REPAIR, RESTORE, RECONSTRUCT, AND REHABILITATE THE GUAM CONGRESS BUILDING, THE LUJAN HOUSE, AND THE PLAZA DE ESPAÑA.

Your presence at the hearing will be appreciated. If you wish to prepare written testimony, please bring an extra copy to the hearing so that we can make copies for committee members and the public.

Sincerely,

Tina Rose Muña Barnes



SENATOR TINA ROSE MUÑA BARNES
LEGISLATIVE SECRETARY

CHAIRPERSON
COMMITTEE ON COMMUNITY, CULTURE, RECREATION & PUBLIC BROADCASTING
Mayor's Council; Bureau of Women's Affairs; Department of Chamorro Affairs; GUAM MUSEUM,
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PARKS & RECREATION
DIRECTOR'S OFFICE

February 6, 2004

Eric J. Brunnemann
Father Eric Forbes, OFM Cap.
Rebecca Stephenson, Ph.D.
Historic Preservation Review Board
Department of Parks and Recreation
P.O. Box 2950
Hagåtña, Guam 96932

Dear Preservation Review Board members,

Hafa adai. Please be advised that the Committee on Community, Culture, Recreation & Public Broadcasting will be conducting a public hearing at 2 p.m. on **Thursday February 12, 2004**, at the Legislature's Public Hearing Room in Hagåtña on the following:

BILL NO. 177: AN ACT TO AMEND §76601 AND §76602 AND ADD NEW §76607 AND §76608 TO CHAPTER 76, DIVISION 2, ARTICLE 6, TITLE 21 OF THE GUAM CODE ANNOTATED TO ADVANCE HISTORIC PRESERVATION PROGRAMS AT THE GUAM PRESERVATION TRUST AND TO REPAIR, RESTORE, RECONSTRUCT, AND REHABILITATE THE GUAM CONGRESS BUILDING, THE LUJAN HOUSE, AND THE PLAZA DE ESPAÑA.

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Sincerely,

Tina Rose Muña Barnes



SENATOR TINA ROSE MUÑA BARNES
LEGISLATIVE SECRETARY

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Historic Resources Division

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February 6, 2004

Lynda Aguon
Historic Preservation Review Officer
Department of Parks and Recreation
P.O. Box 2950
Hagåtña, Guam 96932

Dear Ms Aguon,

Hafa adai. Please be advised that the Committee on Community, Culture, Recreation & Public Broadcasting will be conducting a public hearing at 2 p.m. on Thursday February 12, 2004, at the Legislature's Public Hearing Room in Hagåtña on the following:

BILL NO. 177: AN ACT TO AMEND §76601 AND §76602 AND ADD NEW §76607 AND §76608 TO CHAPTER 76, DIVISION 2, ARTICLE 6, TITLE 21 OF THE GUAM CODE ANNOTATED TO ADVANCE HISTORIC PRESERVATION PROGRAMS AT THE GUAM PRESERVATION TRUST AND TO REPAIR, RESTORE, RECONSTRUCT, AND REHABILITATE THE GUAM CONGRESS BUILDING, THE LUJAN HOUSE, AND THE PLAZA DE ESPAÑA.

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Sincerely,


Tina Rose Muña Barnes



SENATOR TINA ROSE MUÑA BARNES
LEGISLATIVE SECRETARY

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COMMITTEE ON COMMUNITY, CULTURE, RECREATION & PUBLIC BROADCASTING
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February 6, 2004

MEMORANDUM

TO: Members, Committee on Community, Culture, Recreation
and Public Broadcasting

FROM: Chairperson, Committee on Community, Culture, Recreation
and Public Broadcasting

SUBJECT: Public Hearing

Please be advised that the Committee on Community, Culture, Recreation and Public Broadcasting will be conducting a Public Hearing on Thursday, February 12, 2004, beginning at 2:00 p.m. in the Public Hearing Room on the following:

**Nomination of Ms Marilyn C. Salas, Ph.D., to serve as a member of
the Guam Historic Preservation Review Board**

Bill 177 (COR) Introduced by T. R. Muña Barnes, F. R. Cunliffe, R. J. Respicio: AN ACT TO AMEND §76601 AND §76602 AND ADD NEW §76607 AND §76608 TO CHAPTER 76, DIVISION 2, ARTICLE 6, TITLE 21 OF THE GUAM CODE ANNOTATED TO ADVANCE HISTORIC PRESERVATION PROGRAMS AT THE GUAM PRESERVATION TRUST AND TO REPAIR, RESTORE, RECONSTRUCT, AND REHABILITATE THE GUAM CONGRESS BUILDING, THE LUJAN HOUSE, AND THE PLAZA DE ESPAÑA.

As always, your attendance and participation will be appreciated.

c: All Senators
Sergeant At Arms
Protocol Office
Clerk's Office

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Latte Room**

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Full & Part time positions available

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NOTICE OF
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Legislative Public
Hearing Room, Hagåtña

**SEN. F. RANDALL
CUNLIFFE**

COMMITTEE ON JUDICIARY
AND TRANSPORTATION

9 a.m. Thursday, Feb. 12

BILL 209 (COR) An act to repeal and reenact §31.65 of Chapter 31 of Title 9 of the Guam Code Annotated relative to establishing the Juvenile Curfew Law.

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BILL 239 (COR) An act to approve rules for the Office of the Public Guardian as prescribed by Public Law 25-103

**SEN. TINA ROSE
MUÑA BARNES**

COMMITTEE ON COMMUNITY,
CULTURE, RECREATION AND
PUBLIC BROADCASTING

2 p.m. Thursday, Feb. 12

**NOMINATION OF Ms Marilyn
C. Salas** to serve as a member of
the Guam Historic Preser-
vation Review Board

BILL 177 (COR) An act to amend §76601 and §76602 and add new §76607 and §76608 to Chapter 76, Division 2, Article 6, Title 21 of the Guam Code Annotated to advance historic preservation programs at the Guam Preservation Trust and to repair, restore, reconstruct, and rehabilitate the Guam Congress Building, the Lujan House, and the Plaza de España.

The public is invited to participate.
Persons with special needs or for more
information contact
Sen. Cunliffe at 477-5310
Sen. Muña Barnes at 472-3455
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PDN 2/10/04

PUBLIC NOTICE

Banking Board will hold a Public Hearing and Banking Board meeting on Thursday, February 12, 2004 at 10:00 A.M. at the Department of Revenue and Taxation, Building 2nd floor, Mariner Avenue, Tiyan, Barrigada, Guam 96913. Any person may present orally, or in writing on the following matter:

Application of Bank of Hawaii to Establish A Branch Office (Automated Teller Machine) at the Marriot Hotel, 647 San Vitores Road, Tumon, Guam 96913.

Application of Bank of Guam to Establish a Branch Office (Automated Teller Machine) at each of the following locations:

- New Sinajana Mobil, Sinajana, Guam
- Y-SengSong Mobil, Marine Drive, Dededo, Guam
- Mangilao Mobil, 493 South Route 10, Mangilao, Guam

Any of the above described applications are available at the Department of Revenue and Taxation, Regulatory Division, 1st Floor, Building 13-3, Tiyan, Barrigada, Guam 96913.

MIO B. ILAGAN,
Reg Commissioner



GUAM PRESERVATION TRUST
INANGOKKON INADAHÍ GUA'HAN

P.O. Box 3036 • Agana, Guam 96932
Tel: (671) 472-9439/40 • Fax: (671) 477-2047

February 12, 2004

Senator Tina Muna Barnes, Chairwoman
Committee on Community, Culture, Recreation &
Public Broadcasting

Honorable Senator Barnes and Committee Members,

We are writing to you on behalf of the Guam Preservation Trust (GPT), a non-profit public, corporation dedicated towards preserving Guam's historic structures as well as funding grant projects and public awareness activities which deal with the preservation of our rich culture. As of this date, the Trust has obtained new board members constituting a quorum and expect their first board meeting to be held on February 18, 2004. We would like to take this opportunity to thank your committee in supporting the nominations of our new members as well as those carried over from the last administration. Currently, our existing board includes Michael Makio (Architecture), Eric Brunneman (Archaeology), Fr. Eric Forbes (History), Dr. Marilyn Salas (Chamorro Culture), Kelly Kautz (History), and Dr. Rebecca Stephenson (Archaeology). Our existing staff includes Program Officer, Rosanna P. Barcinas and Administrative Service Officer, Ruby A. Santos.

We are aware that the state of the economy has been of utmost priority. Allow us to present a history of our office, our contributions thus far and why the continuance of our office is an economic contribution as well.

The Guam Preservation Trust was created by PL 20-151 and funded by PL 21-07, the office opened its doors in 1992. Since our office inception, we have completed the following:

PROJECT NAME	STARTED	COMPLETED	AMOUNT
Capital Improvement Projects			
(Restoration)			
Inalahan Community Center	Oct. 1992	Nov. 1993	265,000.00
Plaza de Espana Walls, Hagatna	Sept. 1994	Nov. 1995	19,000.00
Plaza de Espana Kiosko, Hagatna	Sept. 1994	Feb. 1996	56,500.00
Fort Soledad, Humatak	May 1994	Jul. 1995	900,000.00
St. Joseph Church, Inalahan	Jul. 1995	Oct. 1996	1,200,000.00
Merlyn G. Cook School, Malessos	Sept. 1995	Jul. 1997	587,000.00
Josefina Flores House, Inalahan	Feb. 1997	May 1997	109,000.00
George Flores House, Inalahan	Feb. 1997	May 1997	85,000.00
Francisco Asanoma House, Inalahan	May 1997	Feb. 1998	51,000.00

Paulina/Dela Rosa House, Inalahan	Feb. 1997	May 1997	77,000.00
Turosik House, Inalahan	Feb. 1997	May 1997	88,000.00
Isabel Cruz House, Inalahan	May 1997	Feb. 1998	102,000.00
Ana Leon Guerrero House, Inalahan	May 1997	Feb. 1998	117,000.00
Joseph Flores House, Inalahan	May 1997	Feb. 1998	87,000.00
Malesso' Kombento	Oct. 1999	Nov. 2000	452,000.00
San Dionisio Church, Humatak	Oct. 1999	Feb. 2001	376,000.00

TOTAL \$4,571,500.00

GRANTS

Archaeological Investigation, Academy Gymnasium	Jan 1991	Ongoing	120,000.00
Portraits of Guam	April 1991	May 1994	54,000.00
Paleoenvironmental Investigation	July 1991	July 1994	22,000.00
Gef Pago (Rental of Exhibit Space)	Sept. 1992	Aug. 1993	6,000.00
Guam's History in Songs (Part 1)	April 1993	Aug. 1994	15,000.00
MARC Spanish Forts Publication	July 1993	Feb. 1994	18,000.00
MARC Archival Conservation	Oct. 1993	April 1995	125,000.00
Guam Museum Inventory And Curation of Artifacts	Oct. 1993	April 1996	60,000.00
Gef Pago (Training Guides)	Dec. 1993	Nov. 1994	10,000.00
I Man Brabu Siha	June 1994	Ongoing	60,000.00
Guam's History in Songs (Cultural Evolution)	July 1995	Ongoing	60,000.00
MARC (Photo Digitalization)	July 1995	Oct. 1998	42,000.00
Sacred Vessels (Video Doc)	Oct. 1996	Mar. 1997	25,000.00
Lawrence Cunningham (Ethnography Textbook)	Oct. 1994	Oct. 1995	1,500.00
Agana Cathedral Basilica	Oct. 1997	Dec. 1998	1,500,000.00
Chamorro Art & Identity	May 1998	May 2000	48,000.00
Splendid Little War	June 1998	Dec. 1998	45,000.00
Guam Museum Mitigation	Sept. 1998	Sept. 2000	35,000.00
MARC Naval Records	Sept. 1999	Sept. 2002	32,000.00
Agana Cathedral Basilica	Dec. 1999	June 2000	640,200.00
Ancient Site Artifact Poster Series	Sept. 1999	Sept. 2000	9,300.00
Festival of the Pacific	Nov. 2000	Dec. 2000	10,000.00

TOTAL \$2,938,000.00

PUBLIC AWARENESS

Smithsonian Exhibit	Mar. 2000
Japan Association Travel Agents Exhibit	Dec. 2001/Nov. 2003
Treasures of Xi'an Chinese Exhibit	Dec. 2002 – Jan. 2003
Historic Preservation Lectures	Every Semester for History of Guam UOG

GUAM PRESERVATION TRUST

INANGOKKON INADAH I GUAHAN

Historic Sites Tours
Chamorro Week/Month Festivities

As requested
Annually

As noted above, our office runs the gamut of activities related to historic preservation. We have proven our existence by committing over \$8 million plus in funds towards capital improvement projects, grants and related preservation projects. There is more work to be done as Bill No. 177 highlights. The previous GPT board had discussions related towards work within the Plaza de Espana and the Lujan House with the owner representatives of Department of Parks and Recreation. The Guam Congress Building has been a recent submission to the Local Register of Historic Places which enables the owners to appeal to our office for funding. With the current board now in place, we anticipate a full slate of projects other than those listed above. Potential projects are the Malesso' Bell Tower, the Talefac Bridge, Mannenggon Memorial, maintenance plans for completed projects as well as new grant submissions from the Guam Humanities Council's "Guampedia"; University of Guam's "John Bohn Papers".

We thank you for your attention to these worthwhile preservation projects. Our office will work diligently with the new Board of Directors to prepare and submit to this committee a "Master Plan" prioritizing capital improvement projects and grants reflective of the mission of the Guam Preservation Trust.

Sincerely,


Rosanna P. Barcinas
Program Officer


Ruby A. Santos
Administrative Services Officer

Cc: GPT Board Members
GHPO, Lynda Aguon
Legal Counsel

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February 12, 2004

The Guam 27 Legislature
155 Hesler Street
Hagatna, Guam 96932

Subject: Testimony in Support of Bill no 177,
an Act to advance Historic Preservation Programs.

Senator Tina Muna Barnes, Senator Cunliffe, Senator Respicio and to all the
Committee members,

Thank you for giving me the opportunity to address the committee and provide my
testimony in support of Bill no 177.

As the acting Chairman of the Guam Historic Preservation Review Board and the acting
Chair of the Guam Preservation Trust we have been privileged to work with staff of
Senator Muna Barnes and Senator Cunliffes offices and with the brief adjustments that
we have identified during our working sessions we are able to give our support to the
Bill.

There were three matters that were raised during the working session that we agreed
would be in the best interest of the bill and in the best interest of the trust. These items
were:

1. To adjust the language in the bill to oblige the Trust to prepare a masterplan
identifying the projects which would receive the advocacy of the Trust,
instead of the naming of projects or percentages to be spent, specifically in the
bill. This adjustment was requested to allow the Trust flexibility in funding
projects during times of limited funding availability so that we can, for
example, undertake smaller projects to their completion instead of
undertaking larger projects when our ability to fund them to their completion
may be questionable and allows flexibility if larger priorities are identified in
the future.

I would like to clarify that the projects that were identified in the original
draft, the Guam Congress Building, the Lujan House and the Plaza De
España, are absolutely priorities of the Trust and we will work wholeheartedly
for the restoration and preservation of these properties.

2. To include language in the bill that addressed the finances of the Trust and the appropriations from the GPT segregated holding account in the past. Documentation of the amounts owed to the Trust have been gathered and will be provided to Senator Muna Barnes office so that language can be incorporated to restore the funds to the Trust.
3. To review the possibility of having the payments for building permits issued directly to the Trust at the time of payment for permits at DPW as a method of ensuring the line of income that may be encumbered if the GPT should take on financing in the future. This item strengthens the language in the bill that establishes the Trust's ability to encumber it's assets and making financing available for projects and the language that establishes a schedule for the payments to the Trust from the holding account.

In closing I would like to thank the legislature for allowing me to voice our ideas regarding the bill and we look forward to a active year working with the Legislative and Executive Branches to properly identify, preserve and showcase Guam's Historic resources.

Si Yuus Maase



Michael Blas Makio, AIA